





# KENTUCKY LEGISLATURE.

## IN SENATE.

TUESDAY, February 3, 1846.

Prayer by the Rev. Mr. Bullock.

The Clerk read the Journal of yesterday. Petitions were presented by Messrs. SOUTH, TODD, BUTLER, BRADFORD and DRAKE.

## REPORTS FROM STANDING COMMITTEES.

Mr. JAMES, from the committee on Finance, a bill for the benefit of the County Court Clerks of Pike and Floyd: passed.

Also, that the committee be discharged from the leave to bring in a bill for the benefit of the Sheriff of Kenton: discharged.

Also, a resolution rejecting the petition of Buckner, Sheriff of Christian: adopted.

Also, a resolution rejecting the petition of Isaac Pearsall: adopted.

(A message from the H. R. announcing its action on sundry bills.)

Also, a bill for the benefit of James Pittman: \$50 for the support of an idiot: passed.

Also, a bill for the benefit of Robert B. Hall, of Barren county: allows him \$85 in addition to the sum allowed by law, for going to Mississippi to arrest Ned, a slave indicted for rape: rejected, yeas 11, nays 24.

Mr. HARDIN, from the committee on the Judiciary, a bill for the benefit of the Christian Church in Winchester: authorized to sell a lot, &c.: passed.

Also, a bill for the benefit of Elizabeth Williams, of Adair county: authorized to bring in two female slaves from Virginia: passed.

Also, a bill for the benefit of the Methodist Episcopal Church South, in Hopkinsville: authorized to sell a lot, &c.: passed.

Also, a bill for the benefit of Mary N. Gwinn: passed.

Also, a bill to change the time of holding the Green Circuit Court: to be held hereafter on the first Monday in April and October, and sit 18 judicial days.

The committee reported a substitute for the bill, that the Hart Circuit Court be held on the first Monday in April and October, and sit 12 judicial days, and that the Green Circuit Court be held on the first Monday in May and November, and sit 24 judicial days.

Mr. HARDIN moved that the bill lie on the table: negatived, yeas 16, nays 18.

The substitute was then rejected, yeas 13, nays 19.

Mr. HARDIN moved an amendment that the Green Circuit Court be held on the first Monday in May and November, and sit 12 judicial days, and that the Hart Circuit Court be held the third Monday in May and November, and sit 12 judicial days.

Mr. MARSHALL moved that the bill lie on the table: agreed to.

Mr. HARDIN, from the same committee, a H. R. act establishing and incorporating the town of Fairview, lying partly in Christian and partly in Todd: passed.

Also, a resolution rejecting the petition of W. B. Bond: adopted.

Mr. CRENSHAW, from the same committee, a bill for the benefit of James G. Dilly, of Barren county: divorces him from his wife, Elizabeth, and legalizes his marriage with his present wife, late Hays.

Pending this bill, the Chair announced the orders of the day, which Mr. CRENSHAW moved to dispense: negatived.

## ORDERS OF THE DAY.

A bill to establish the county of McLean.

Mr. DYER moved an amendment to the 10th section, a proviso that the largest sum subscribed towards building the Court House, &c., should be deemed sufficient for that purpose by the County Court: adopted.

Mr. DYER moved an amendment, to the effect that, if the subscribers on the South side of Green river fail in six months to raise enough to build the Court House, &c., then those on the North side may have two years in which to raise the sum to erect the buildings on the north side, and the north side failing in that time, the County Court to establish the Seat of Justice.

Mr. TAYLOR moved that the bill lie on the table.

Mr. PEYTON moved a call of the roll: all present but Mr. CHENAUET.

And the question being taken, "shall the bill lie on the table?" it was decided in the affirmative, yeas 21, nays 16, as follows:

YEAS—Messrs. W. P. Boyd, Bradford, Bradley, Brannette, Butler, Crenshaw, Fox, Gray, Hardin, Heady, Helm, Henderson, Holloway, Key, Patterson, Peyton, Slaughter, Taylor, Thurman, Todd and Woodson—21.

NAYS—Messrs. Ballard, A. Boyd, Conner, Driffin, Drake, Dyer, Evans, Harris, James, Marshall, Newell, South, Swope, Thomas, Walker and Wallace—16.

The SPEAKER presented a report from the Old Bank of Kentucky under resolutions of 1845: referred to committee on Banks, and ordered to be printed.

A H. R. act to remodel and change the Judicial Districts and equalize the labors of the Circuit Judges: referred to committee on the Judiciary.

And then the Senate adjourned.

## HOUSE OF REPRESENTATIVES.

TUESDAY, February 3, 1846.

Prayers being said by the Rev. Mr. GOODALL, and the Journal of yesterday being read by the Clerk.

Petitions, &c., were presented by Messrs. HOWELL, STEVENSON, FINNELL, McKELLUP and Mr. SPEAKER, which were severally received, &c., and referred.

Mr. BROWN obtained a dispensation for that purpose, and offered the following resolution, which was adopted, to-wit:

Resolved, That on to-morrow, Wednesday, Feb. 4th, and on each day thereafter during the present session of the General Assembly, it shall be the duty of the Speaker, at the hour of 1½ o'clock, P. M., to announce a recess of one hour and a half; and that it shall be the duty of the House to meet again at 3 o'clock for the despatch of business.

Mr. CLEVELAND now obtained leave to change his vote of yesterday on the passage of the bill, entitled, an act to re-model the Judicial Districts, and equalize the labors of the Circuit Judges. He was in favor of the general provisions of the bill, but doubted its constitutionality in one point.

Mr. DUNCAN, who was absent on Saturday at the time of the adoption of the joint resolutions on the subject of the admission of Texas, asked now to have his vote recorded in the affirmative on that question.

The SPEAKER. The Chair was informed by the Clerk, that the yeas and nays on that question were now printed in the Journal, &c.

## REPORTS FROM THE COMMITTEE ON CLAIMS.

The House now resumed the consideration of the unfinished business of yesterday, being a report from the committee on Claims, to-wit:

An act for the benefit of Nathan Board and others: The question being on the adoption of the amendment of the gentleman from Breckinridge, [Mr. J.

Smith] to-wit: To strike out from the bill that portion which allows compensation to the Commissioners of tax in Allen county for taking in their lists of taxable property a second time.

Mr. J. S. SMITH said he desired to press the amendment, not that he believed the compensation to be unjust; nor because he wished to defeat the bill—though he thought he perceived a disposition to vote it down; but because he wished to obtain an expression of the House on the question implied in the amendment.

Mr. ANTHONY supported the bill in its present shape. The amount of the allowance to these Commissioners was but \$48; and that compensation had been avowed heretofore.

Mr. HUGHES. These Commissioners had been required to perform extra services arising under a new statute, and they ought to be paid.

Mr. McKELLUP. He was a Commissioner last year, and happened to be caught in the same predicament with the Commissioners of Allen; and he affirmed that the extra labor imposed by the new statute was not so great as that of making out the lists originally. It was only necessary to re-calculate the amounts given in the lists, and correct the per cent. as required by the equalization law. For illustration, where an individual had given in \$500—receiving \$300, as under the former law, it was only necessary to make the alterations in the book, which would result from adding \$200 to the amount on which he was chargeable for tax when the list was first made out, &c.

And after further remarks by Mr. BARLOW and Mr. ANTHONY, the amendment was rejected.

The bill was then read a third time.

Mr. G. BOWLING, by way of rider, now proposed an amendment, to the effect, that all the Commissioners of tax in the Commonwealth be allowed to retain eight per cent. of the revenue listed under the former law, and re-listed and collected under the present: which was adopted.

And then, on motion of Mr. DALLAM, the bill was laid on the table.

Mr. HARDY, from the committee on Claims, proceeded again with his reports, to-wit:

A bill from the Senate entitled an act for the benefit of Mrs. Diana Maguire—without amendment, &c.: the bill was rejected.

A bill from the Senate entitled an act for the benefit of Philip Lightfoot, Sheriff of Breckinridge county.

Mr. ALEXANDER proposed to amend by adding a section allowing the Sheriff of Meade county till the first of June to make return of his delinquent list for the year 1845: which was rejected.

And then the bill passed.

Mr. H. now reported a motion to discharge the committee on Claims from the further consideration of the petition of John Newby: and they were discharged accordingly.

A Senate message by Mr. Secretary Kuhlmann, now reported the action of that body on sundry bills, &c.

Mr. HARDY, from the committee on Claims, reported again the bill for the benefit of George W. Fox and others, of Madison county, with the expression of an opinion that it ought not to pass.

(The bill proposed indemnification for the loss of horses by individuals detailed last fall for the execution of the sentence of court in Clay county against Dr. A. Baker.)

Some debate followed upon this bill, in which the proposition was warmly supported by Mr. J. S. SMITH, and Mr. HARDY.

And the question being taken on the third reading of the bill, it was lost by yeas 31; nays 60, as follows, to-wit:

YEAS—Mr. Speaker, Messrs. Abbott, Balee, Brooks, Cleveland, L. Combs, Darnaby, Desha, Duncan, Finnell, Glover, Haggard, Hatfield, Hay, Hughes, Hunton, Jackson, Mayes, Myers, Orr, Pope, Riley, Rodman, Joseph Smith, J. Speed Smith, Sparks, Speed, B. Stone, S. Stone, A. W. Thomas and Thurston—31.

YEAS—Messrs. Alexander, Anthony, Barkley, Barlow, Barnett, Begley, Botts, G. Bowling, Brawner, Breeden, Brown, Cessna, Clack, Clarke, James Combs, Conner, Cox, Dudley, Elliott, Evans, Fallis, Ford, Gano, Gardner, Glenn, Gore, Harlan, Hardy, Head, Headley, Howell, D. B. Johnson, A. Johnston, Jones, Kelly, Lapsley, Layne, Mason, Mayhall, Maxey, McCampbell, McKellup, Murray, Orronoff, Priest, Pordum, Railey, Root, Seaton, Shawhan, Short, E. Smith, Stephens, W. Thomas, Walker, Waller, Wheat, Whitlock, Whitsett and Wortham—60.

So the bill was rejected.

Mr. HARDY, from the committee on Claims, reported a bill for the benefit of Joseph B. O'Reare, [with reference to removing a lunatic—providing that the charge be paid by the County Court of Montgomery:] passed.

Mr. H., in behalf of the same committee, reported a resolution adverse to the petition of the Jailor of Clay county: in which the House concurred.

Mr. H., from the same committee, to whom had been referred the bill for the benefit of William B. Howard, reported a substitute, allowing him \$18 for killing three wolves in Marshall county, which passed the House.

Mr. H., from the same committee, reported a bill for the benefit of William P. Blackstone, (authorizing the Second Auditor to draw his warrant on the Treasurer for \$130, for pursuing to Indiana and bringing back to justice a fugitive charged with kidnapping, &c.): passed.

Mr. HARDY, from the same committee, reported a bill for the benefit of Edward D. Stockton of Estill county—(compensation for attendance on a lunatic.)

Mr. JOSEPH SMITH proposed to amend, by a section, compensating Nathan Board and Richard Skillman for conveying a lunatic to the Asylum: which was adopted, and the bill passed.

The hour of twelve having arrived, on motion of Mr. HARLAN, the orders were dispensed with, for the purpose of receiving reports from standing committees.

Mr. JOSEPH SMITH, from the committee on Claims, reported a bill for the benefit of Conrad Havens of Campbell county, [allowing him \$50 a year for three years, ending January 1, 1846, for the support of Lucy Bradford, an idiot.]

Mr. WORTHAM proposed to amend by adding the following section, that \$50 be, and are hereby allowed to Jediah McClure, for the support of Davis McClure, an idiot, for the year ending Dec. 31, 1845.

Hereupon arose a question, whether it was in order to obstruct the proposition by the introduction of a new claim, which had not been before the committee, &c., and after some time spent in the discussion of this point, the amendment was withdrawn.

Mr. HARDY, from the committee on Claims, reported a bill from the Senate, entitled, an act for the benefit of Elijah McWharther of Clay county, and William J. Mayo of Floyd county, with amendments, striking out the first and second sections.

On motion of Mr. COX, the question was divided and the striking out of the first section only was concurred in; while the second section, allowing compensation to Mayo, was not affected by the amendment: so the bill passed.

REPORTS FROM THE COMMITTEE ON PRIVILEGES AND ELECTIONS.

Mr. B. STONE, from the committee on Privileges and Elections, reported the following bills, which were read a third time and passed, to-wit:

A bill to change the place of voting in the Lewisport precinct in Hancock county.

A bill to change the place of voting at an election precinct in Harlan county, from the house of John Kreech to the house of John Lewis in said county.

A bill to change the place of voting at an election precinct in Allen county, from the house of Thomas Allen to the house of Lee Allen in said county.

The last named bill being amended, to-wit: On motion of Mr. A. JOHNSTON, so as to change the place of voting in a Calloway county precinct, from Callowaytown to the house of James Ross in said county, and,

On motion of Mr. BRAWNER, so as to change the place of voting in a precinct of Whitley county.

Mr. B. STONE, from the committee on Privileges and Elections, to whom had been referred the bill to protect the right of suffrage and regulate the elective franchise, reported the same back to the House without amendment, and with the expression of an opinion that it ought not to pass: and the bill was rejected accordingly.

## REPORTS FROM THE JUDICIARY COMMITTEE.

Mr. HARLAN, from the committee on the Judiciary, reported the following bills: and the same being engrossed, they were severally read a third time and passed, to-wit:

An act to extend the corporate limits of the town of Newport.

An act to amend an act, entitled, an act to establish the Louisville Bank of Kentucky, and to incorporate the Merchants' Louisville Insurance Company.

An act for the benefit of John Rogers' children.

An act for the relief of William Lair, late Sheriff of Russell county—(relieving him from all arrears of revenue for the year 1839, by paying principal and costs.)

An act for the benefit of the administrators of William A. Pendleton, late Clerk of the Kenton Circuit and County Courts.

An act to legalize certain proceedings in the Bullitt County Court.

An act for the benefit of the Trustees of the town of Carlisle: (authorizing the sale of alleys in said town.)

An act concerning ferries on the Ohio river. [Extending the operation of the act of 1836, in relation to the ferries of Jefferson county, to every county bordering on the Ohio river.]

An act for the benefit of Nancy Easton.

An act to reduce into one the several acts in relation to the town of Danville, and for other purposes.

An act to establish the town of Johnstonville, in Monroe county.

An act providing for a change of venue in the prosecution against Reuben Payne—[from the Monroe to the Cumberland Circuit Court—amended, on motion of Mr. BARLOW, so as to make the change to the Allen Circuit Court.]

An act for the benefit of William P. Mitchell, a lunatic. [Having a family, it requires a special act to authorize the selling of his property.]

An act for the relief of Preston F. Samuels, of Bullitt county. [Being under twenty one years of age, the bill authorizes his appointment as a Constable, &c.]

An act for the benefit of James Coleman's children: [authorizing the sale of slaves.]

An act to establish and incorporate the town of Midway, in Woodford county.

An act to amend an act, entitled, an act, to incorporate the town of Lancaster, approved February 7, 1837.

Mr. HARLAN, also, from the same committee, reported resolutions adverse to the following petitions in which the House concurred, to-wit:

The petition of Elizabeth Kenney.

The petition of Samuel Carter and two other persons, trustees of the Salem Academy of Bardonia.

The petition of sundry citizens of Caldwell county—praying for another Judicial District: and,

The petition of David W. Williams.

Mr. HARLAN, from the same committee, reported their motion to be discharged from the further consideration of the petition of John Watt and others, and that it be referred to the committee on Claims: which was concurred in.

And then the House adjourned.

REMARKS OF MR. KELLY, OF CHRISTIAN, Delivered in the House of Representatives, Saturday, January 31, 1846, pending the consideration of the Texas resolutions. The question being on the adoption of the following amendment, by way of substitute, proposed by Mr. WORTHAM, to-wit:

"Whereas, the Republic of Texas has been admitted into this Union, and become one of the States; and whereas, it is not now necessary for this State to take legislative action thereon: therefore, resolved, that this House will forbear to express opinion, or take action on the subject."

Mr. SPEAKER—I cannot vote for the resolutions on your table unless they are amended so as to make them less objectionable than they now are. I was one of those who opposed the annexation of Texas upon principle.—I doubted then, and I still doubt the policy of extending the territorial limits of these United States by the annexation of a foreign nation to the confederacy. But as Texas has been acquired, and she now constitutes part and parcel of this Union, I am perfectly willing that the powerful arm of this Government should defend her as well as the other States of this Union, and that the flag of the Union should be thrown over her and protect her from every assault, let it come from whatever quarter it may. But, sir, I cannot say that I hail, (as expressed in the resolution,) the acquisition of that Republic with a hearty welcome; and I will not stultify all my former opinions, without being convinced that those opinions are wrong, by any vote of mine in this House. Sir, I see no necessity of any action of this House being taken in relation to Texas, any more than in relation to another State of this Union. It appears to me, sir, it was a party movement; and I am unwilling to spend the time of this House in such extra legislation in regard to Texas to gratify any party purpose. I, sir, would be placed in a false attitude before my constituents, were I to vote for or against those resolutions; and I will not give a vote upon any question, that, let me vote as I may, it will not reflect truly my position. This, sir, is nothing but a political ruse, a clap-net, gotten up originally, as I humbly conceive for party purposes, and which, I for one, cannot sanction by my vote. I shall therefore, Mr. Speaker, vote for the amendment offered by the gentleman from Grayson, (Mr. Wortham,) most willingly. And if that is not adopted by the House, (and I do not suppose that it will be,) I will if gentlemen allow me the opportunity, offer another amendment with a view to modify the resolution in such a manner that will allow me to vote for them. I merely wished to place myself in a proper attitude before this House and before my constituents. Having made these remarks, sir, I will say no more: less I could not have said.

TOWN ORDINANCE.

A meeting of the Board of Trustees for the town of Frankfort, held on the 17th day of January, 1846, the following order was made:

Ordered, That the holders of property binding on Washington and Broadway streets, running down Washington from L. Thom as property to the corner on Broadway, and down Broadway, binding on the same, across the mouth of Pettycoat Alley, to the corner on Wilkinson street, be required to grade, pave and curb the same, under the direction of the Street Committee, and that they be required to have the same done, on or before the first day of May next.

H. WINGATE, Clerk.

Attest—J. W. BATCHELOR, Clerk.

January 26, 1846.—694-2m

## DEFERRED PROCEEDINGS.

DEBATE ON THE BILL TO MAKE IT A PENAL OFFENCE TO USURP OFFICE.

IN SENATE, Monday, Jan. 12, 1846.

"A bill to amend the penal laws," came up in the orders of the day.

The bill was read as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That, if any person shall hereafter usurp any office established by the Constitution or laws of this Commonwealth, or shall hold any such office, after his appointment thereto shall have been declared by a Court of competent jurisdiction, illegal or void, such person shall, on the presentation or indictment of a grand jury, be subject to a fine of not less than five hundred dollars, nor more than fifteen hundred dollars, at the discretion of a jury; and upon conviction and failure to pay said fine, shall be imprisoned in the Jail of the county where such offence shall be committed, until such fine, and the costs of the prosecution, are paid.

Mr. HARRIS moved the following amendment: "Provided, That nothing in this act shall in any wise apply to the contest in relation to the Jailor of Franklin county, now or hereafter."

Mr. HARRIS. I know not from what cause this bill has been introduced. I have heard of few or no usurpations of office in this State. Unless the contest between the Franklin County Court and the Court of Appeals, in relation to the office of Jailor of Franklin county has suggested this bill, I cannot conceive what has produced it. I know that in monarchies, and more especially in republics, the offence of usurpation should be punished. But whatever offences may have been committed, I feel satisfied that this bill should not pass, without the proviso I have offered. Suppose a controversy between a County Court and the Court of Appeals, affecting the rights of an officer appointed by the former under legal authority to make such appointment, do gentlemen mean to say that this bill, *ex post facto*, reaches back to that case? The words, "or shall hold any such office," are capable of being so applied.

The Democrats are in a minority on this floor. The Franklin County Court, which is Democratic, has removed a Jailor, who is a Whig. The Court of Appeals have decided the act of removal to be void. I am a law-abiding man. If the Appellate Court have power to execute their decision, let them exercise it; but let us not pass this law to interfere between the Supreme and inferior Courts. If there be no law on the statute book to punish usurpation, that fact may be regarded unfortunate, but we should not supply the omission merely to reach a single case. I am aware that the Court of Appeals have no original jurisdiction to authorize them to issue a mandamus. But the committee on the Judiciary are too well informed not to know that the Circuit Court has jurisdiction in the premises on an action of trespass on the case. If, therefore, it be the purpose of the bill to interfere in the contest about the office of the Franklin County Jailor, there is no necessity for it. But, sir, the bill will apply to that case. I read the bill and find the penalty attaches, not merely to those who may *usurp* office, but to those who "shall hold any such office," &c. I am authorized, by my information, to declare that the object of the bill is to punish the Jailor of Franklin county; for no other case of usurpation, or holding on to office after a competent Court declaring the appointment void and illegal, has been heard of.

Sir, it is according to the genius and spirit of free institutions to pass *ex post facto* laws! Can it be shown that the operation of this bill will not be *ex post facto*? We have, I grant, a right to prescribe punishment for crimes, but I deny our competency to enact a retrospective law. I do not say what I had been a member of the Franklin County Court, would have done, on being properly advised of the decision of the Court of Appeals, in the case of Gorham vs. Luckett. But this is a novel case. I have a very high respect for the Court of Appeals, though I dissent from its decision in this case. The position of the minority of the Court, (Judge Breckin,) in the language of John Q. Adams, "will stand the test of scrutiny, of talents and of time."

I ask you, who have power to pass this bill, is it not *ex post facto*, and intended to operate on the Franklin Jailor case? Will the Legislature, for the first time, step in to interfere between the conflicting judicial authorities of the State? The County Courts are established by the Constitution as well as the Court of Appeals. As the Circuit Court has power, by mandamus, to bring the members of the County Court before it and punish them for trespasses, I hope the Legislature will not interfere. And as the common law prescribes remedies for the enforcement of Gorham's rights, if violated, this law is not necessary. If I am correct, as I think I am, that the Circuit Court can issue its mandamus to the County Court, to show cause why they have refused to allow to Gorham the rights and emoluments of the office of Jailor, I insist that this case should be exempted from the operation of the law; for it would otherwise be a dangerous precedent. If I am wrong as to what I have alleged to be the object of the bill, all I ask, and the least in such case that could be accorded, is, that the proviso I have offered be accepted by the advocates of the measure.

Mr. PEYTON. I hope the Senate will pass the bill and reject the amendment. The Senator from Floyd (Mr. Harris,) says this is an *ex post facto* law. He tells us the application of this law to the Franklin County Jailor will give it the effect of an *ex post facto* law. If I understand what is an *ex post facto* law, it is one enacted for, and applied to, the punishment of offences previously committed. This bill provides that, if any person "shall hereafter usurp any office," &c., he shall be subjected to a penalty. This is not *ex post facto*.

I know nothing of the facts of the Franklin County Jailor case, except from common rumor. I do know, however, that the highest judicial tribunal of the State has decided against the right of the County Court to expel a public officer without cause, notice or trial; but that tribunal has no original power, by specific statute, to enforce such a judgment, and it is the object of this bill to supply a remedy for such cases arising hereafter. How then, can this proposed act operate on the Franklin Jailor case, in the odious sense imputed? If the Jailor of Franklin county be a usurper; if he has been so declared by the Supreme Court of the Commonwealth; and if, after such decision by the highest tribunal, a decision which is the law, and should have the force of the law of the land, why, what right or propriety would there be in the Legislature, to exempt him particularly and expressly from the operation of a general law? Sir, the position of the Senator from Floyd is a monstrous one, and I do not envy him the credit of holding it. Here is a public officer holding to his place, after the Court of Appeals, whose decision is the law of the land, have declared his appointment null and void. Why, then, should he be exempted from penalty, if he shall continue "hereafter" to hold on? Sir, this Senate, by the adoption of the amendment proposed, would sanction this act of usurpation. Should we except any man who usurps an office, or holds on, after the Court of Appeals have decided him out?

Sir, the principles of this bill are founded in wisdom and justice, and embody a sound policy. The Senator does not deny their correctness. Yet he gravely asks the Senate to admit a proviso to protect one in office, who is either a usurper, or may hold on after the Supreme Court has declared his appointment void. This bill only holds him a usur-

per, who has been in effect so declared by the Appellate Court. If the Jailor of Franklin county hold on after the passage of this bill, its provisions will reach him; but the bill cannot reach back. Is this not proper? Is it proper that an individual shall hold a place in contempt of the decision of the Supreme Court to the contrary, and that the Legislature shall protect a special individual in such contumacy? By this amendment, a specified individual is excepted, no matter though a Court of competent jurisdiction may "hereafter" decide him a usurper.

Mr. FOX. I am as much opposed as any one else to *ex post facto* laws; and though I am unwilling to stand in opposition to the Senator from Floyd, I am constrained to reject his amendment. But this is no *ex post facto* law. Its provisions apply to such acts of usurpation alone as may be committed hereafter. The law intends to operate on the future. Suppose we pass a law, requiring a tavern keeper, who had sold liquors before, to swear he will not sell spirituous liquors hereafter, and affixing a penalty, should he violate his oath; the law would not punish him for having sold liquor heretofore, but, for doing it after its passage. Or, suppose we make it a penal offence to utter blasphemous oaths, it would not be *ex post facto* in its operation hereafter, for oaths heretofore uttered, on persons heretofore in the habit of profane swearing. Are we not competent to pass such a law? Precisely similar in principle is the bill on the table. I know nothing of this Jailor case, except what I learn through the Court of Appeals. The man now in the office of Jailor of Franklin county, refuses to obey the decision of the Supreme Court. The bill does not propose to punish him for what he has done, but for what he, like any other usurper or contemner of judicial authority, may do. The Senator says there are remedies at common law in the Circuit Court for the ousted Jailor. But they are only individual remedies. They do not protect the dignity of the Commonwealth, outraged by acts of usurpation. They will remain to the individual, even should this bill pass. Does the Senator from Floyd want the Jailor of Franklin, or any one else, to hold an office in violation of law? He endeavors to have this bill put down, because he alleges it is suggested by an individual case. Sir, individual cases often give rise, very properly, to general legislation. So in this case. And so far from the fact militating against the propriety of the law, it affords an absolute illustration of its necessity; for if a general law be not founded on this case, who can tell how many similar acts of usurpation may



founded in correct principle and sound policy. If there be no law to punish a usurper, it is the imperative duty of this Legislature, to enact such a law. The amendment proposed by the Senator from Floyd, excepts the usurping Jailer of Franklin from the penalties of a general law, applicable to all other citizens. On what ground? Not because the law is unconstitutional; but simply because it is alleged the Court of Appeals have given a decision, in the opinion of the Senator from Floyd, erroneous and improper. And who is the Jailer of Franklin, that he should be excepted from the provisions of a general law, "now and hereafter" according to the intention of the amendment? No matter what enormous acts of usurpation he may commit "hereafter," no matter with what contempt and contumacy he may treat the decisions of the courts "hereafter," no matter whose rights he may, together with the authority and dignity of the Commonwealth trample in the dust; he is to go unscathed for such intolerable outrages. Nay, he is virtually incited to commit them, and then protected for so doing, by the broad and impenetrable shield of the State, according to this amendment. Sir, the proposition of the amendment is utterly preposterous, and the Senator who proposed it, occupies no enviable position, in my judgment.

The provisions of this bill apply to acts committed "hereafter." It is therefore most clearly not an *ex post facto* law. I would be far from trampling on the Constitution, the fundamental, organic law of the land, adopted for the whole people. The Senator admits that the Jailer in question holds in violation of the opinion of the Court of Appeals, whose decision he also admits is the supreme law. What question then can be made against this bill, which, prescribing punishment for offenses heretofore committed, does not infract the Constitution, and is necessary to vindicate the dignity of the Commonwealth and the rights of the people?

Mr. HELM. I shall not make a speech, but offer a suggestion or two. If this bill be *ex post facto* in its operation, the Courts will not enforce it. They will in such case, declare it void. If it be proper to pass a general law defining an offense, and prescribing punishment for its commission, it is clearly wrong to except any individual from its operation. If there be an offense committed, it is due that the Legislature define the powers of the Courts in punishing them. I think by the statutes, the proper duties of the Courts should be defined. No man ought to be subject to criminal prosecution for acting in obedience to Courts of lawful authority. If there be any uncertainty as to the provisions of the law and the jurisdiction of Courts, the Legislature should define the offense and then inflict punishment.

Mr. BUTLER. It is true, as declared by the Senator from Floyd, that the County Courts, as well as the Court of Appeals, have their origin in the Constitution. It is also true that the powers and jurisdiction of the County Courts are matters of legislative regulation. By the act of 1793, the County Courts had power to appoint Jailers, and by the act of 1802, in a specified contingency, to remove them. It is also a fact that the Franklin County Court removed the Jailer, without notice, charge or trial, when the law of 1802 only gives power to remove in case of "neglect of duty." The Court of Appeals have decided that this removal, without cause, was void. This decision having been certified to the County Court, that inferior tribunal has refused obedience and treated the Supreme Judicial authority of the State with high contempt. These facts, undisputed and indisputable, have given rise to this bill, which the Senator from Floyd characterizes as personal and vindictive. All general laws have their origin in like circumstances. The wrongs inflicted and suffered by individuals, suggest the propriety of general laws, to obviate the recurrence of similar wrongs. And if prompt remedies were not prescribed against the recurrence of individual wrongs, they would very soon become general, virtually invited by the omission of the legislative power to discharge its proper and solemn duty. The wise legislator directs his keen eye to the defects of the law indicated by particular cases, and thus guided, adapts the appropriate remedy to the case. This is the highest course of action, being founded on practical observation and experience; and laws of such origin are sure to be the wisest and best in policy and principle. But, sir, I maintain that a wrong suffered by an individual, is, in a philosophical sense, a grievance to the public. According to the theory of the government, the individual surrenders to the government a portion of his natural rights, to secure the public protection in the enjoyment of the residue of his rights. If, therefore, a solitary individual in all the land, suffer a wrong which the laws do not redress, the government to that extent abdicates its vital powers. An individual case, therefore, is the very thing which wisdom seeks, on which to shape remedies for wrongs. If no case of usurpation had happened, I doubt whether any one would have thought of proposing this bill, and I question whether the Senate would have entertained it, but for such allegation. So far, then, from seeing any thing in this circumstance, to deter me from the consideration of a general law, it incites me to it. It is precisely this that quickens my sense of duty. Had no Sheriff ever refused to exhibit his poll book, the examination of which is absolutely necessary to ascertain the choice of the people to represent them in the National or State Legislature, I doubt whether any legislator in the whole land would ever have thought of the expediency and necessity of a penal law to punish such a monstrous outrage upon the public. Yet a memorable practical example of this crime, before unheeded of, made it imperatively the duty of the Legislature to enact the general law we have to prevent a similar outrage; and I apprehend there is not a man in the whole State, of any political party, who doubts the propriety of that law. Acts of usurpation are most likely to be individual acts. It is not at all probable that they will ever be attempted by numbers of persons. So that, if we deem it an offense to usurp office, we must act on the single case. We already know of, or otherwise, our dereliction to duty will soon invite the commission of so many more outrages that we shall be compelled to adopt a more rigorous law than that now proposed. But, sir, I do not regard this case of usurpation a mere case of individual wrong to the ousted Jailer. Far from it. It is a gross outrage against all the people of the Commonwealth, an indignity and insult to the government, which merits signal punishment.

Mr. Speaker, it is a high misdemeanor in an inferior Court to refuse obedience to the superior Court. If such contumacy be tolerated, all authority is at an end, and wild confusion must ensue. Sir, I repeat it, such conduct is a high offense, a crying evil, deserving condign chastisement. And in this view, sir, the bill does not go far enough. It proposes not to punish the contumacious inferior Court, but exhausts its thunder on the petty usurper. It should be amended so as to provide punishment on all the parties to the transgression, to the County Court as well as to the Jailer.

It is objected to the bill that it is *ex post facto*. It need not be again repeated, that it applies punishment only for acts committed "hereafter." By the progress of this bill through the two Houses, all parties are significantly warned. The moment it becomes a law, the usurper is fully admonished that he becomes a new trespasser and usurper. If, in defiance of all these public warnings, he hold on with a usurper's iron grasp to his place, he richly deserves all the penalties denounced by the law.

The Senator from Floyd says the laws are now ample—he quotes the common law—he urges an appeal for redress by an action of trespass on the case. These are existing remedies, happily in the reach of the ousted Jailer, by which he can recover his rights and emoluments connected with the office. But will the recovery of them, by that individual, be any atonement to the public for the violated laws of the land and the outraged dignity of the Commonwealth? Shall we leave it alone to private action to vindicate the supremacy and dignity of the government? The Senator intimates that the Court of Appeals have inherent power to enforce all their mandates. It may be so. It certainly ought to be so. It is certainly a tantalizing mockery to give them great jurisdiction without the power to enforce their decrees. The bill should be improved. We punish a poor Jailer and let off the County Court, which is really the guilty party. Its disobedience to the superior Court is a high-handed, flagrant act of outrage against all well regulated authority. I purpose, at the proper time, to move the recommitment of the bill to the committee on the Judiciary, with the following instructions:

"To inquire and report, 1st, whether the Court of Appeals have power to act on the inferior Court and enforce obedience to their mandate by punishment for contempt or otherwise; and

"2d, if the Appellate Court possess no such power, to inquire into the propriety of so amending the laws as to confer the requisite power on the supreme Court."

[Concluded in to-morrow's paper.]

## THE COMMONWEALTH, FRANKFORT, KY.

THO. B. STEVENSON, Editor. WEDNESDAY, FEBRUARY 4, 1846.

MISSISSIPPI SENATORS.—The Legislature of Mississippi elected Mr. Chalmers, who now occupies the seat as an appointee of the Governor, to fill the vacancy occasioned by the resignation of Robert J. Walker, whose term expires the 4th of March, 1847. Gen. H. S. Foote was at the same time elected to serve for six years after the 4th of March, 1847.

To the Editor of the Commonwealth: SIR:—In your report of the Legislative proceedings of the 23d instant, my attention has been directed to the following remarks:

"Mr. L. Combs observed, amongst other things, that there was now before the committee on Ways and Means a proposition to abolish the Board of Internal Improvement, together with some *sinicure* establishments here about Frankfort, (referring to the Old Bank of Kentucky, the Commonwealth's Bank, &c.) and refer their business to the First Auditor's office: by which measure it was proposed that officers should now be discharged from service, which now together derive for their salaries, from the Treasury, the sum of \$3900 annually."

These are grave charges; and, if true, deserve the consideration of the Legislature. Coming as they do from the distinguished Chairman of the committee on Ways and Means, they demand my particular notice. The motive that caused these remarks I have no right to question; and, therefore, am at a loss how to appreciate the *financial idea* that the transfer of a *sinicure* from one man to another, will serve the public good. Nor am I allowed to insinuate the want of proper information on the part of the honorable Chairman, because the position occupied by him, with so much credit to himself and country, precludes the idea that he is wanting in any matter pertaining to his high and important duties. But this much I will say, that, whatever may have been the motive, the tendency of those remarks, unexplained, may do me great injustice, and does directly impugn the motive and action of the preceding Legislature.

In the year 1840, without solicitation on my part, the Legislature placed the affairs of the Commonwealth's Bank under my management, since which time I have been continued in the trust by an annual election. At the last session I requested a final settlement of my accounts, and intimated a wish to give up the business at the present session. That settlement has been made, and I still desire to give up the business of the Bank, unless the State may need my services, and I receive a more liberal compensation than heretofore. At the time I undertook the affairs of the Bank, it was estimated that not more than \$20,000 would be realized to the State. I have collected \$34,619 57 cents, of which sum \$72,060 23 cents, have been paid into the Treasury, and the remainder applied to the redemption of notes in circulation and incidental costs, &c. And I now say to the honorable member from the county of Fayette, the man qualified cannot be found in this or any other civilized government, who would have rendered the same services for less than the sum of \$500 per annum. The mere commission fees of the Sheriff and Constable exceed my wages, and had I been paid according to the usual fees charged by Attorneys-at-law in the collection of bad and doubtful debts, such as those due the Commonwealth's Bank, my salary, instead of the sum allowed, would have been \$3000 per annum. The debts of the Bank were scattered throughout the State, and even beyond its limits; oftentimes concealed in records of multiplied litigation, and in the hands of unfaithful agents and attorneys. In addition to the difficult and oftentimes painful duty of enforcing payment of those debts, I have had to act the part of President, Cashier and Clerk. If, then, the faithful performance of all these duties for the sum of \$500 per annum be a *sinicure*, and "all other *sinicure* establishments heretofore Frankfort," are as profitable to the State as the Commonwealth's Bank has heretofore been, I would suggest, most respectfully, to the honorable Chairman, the propriety of a bill to increase similar *sinicures* within this Commonwealth.

In conclusion, I here state, I have not the slightest wish or anxiety as to the disposition hereafter made of the Bank, unless it be, that the individual who may conduct its affairs, may be more faithful to the State, and better paid than I have been.

O. G. CATES.

February 2, 1846.

LAST NOTICE, POSITIVELY. WE have heretofore notified the public of our obligations to the State, to settle up in full once in each year, and have requested those having accounts with us, to settle them on or before the 1st day of November annually, to enable us to meet our engagements as aforesaid. We are now compelled to say positively and for the last time, that those indebted to us previous to the first day of November last, must come forward forthwith, and close their accounts up to that date, or we shall certainly place them in the hands of an officer for collection.

CRAIG & HENRY, Agents and Keepers Ky. Penit'g.

From the New Orleans Picayune of Jan. 24. FROM MEXICO.

IMPORTANT NEWS—TWELVE DAYS LATER.—The bark Pario, Capt. Kinney, arrived at this port yesterday morning from Vera Cruz. By her we have received our files from Vera Cruz to the 11th, and from the City of Mexico to the 8th. The news is very important.

The city was filled yesterday with contradictory rumors in regard to Mr. Slidell. The report at first credited was that he had been ordered from the Republic; that he thereupon demanded an escort from Jalapa to Vera Cruz, which was refused to him; that Commander Gerry, of the Somers, then lying at Vera Cruz, upon this proceeded with a detachment of officers and marines to escort Mr. Slidell to the coast, a distance of some 70 or 80 miles. We do not attach much credit to this rumor—it appears impossible. Again: a letter dated the 9th, from Vera Cruz says, that up to that date Mr. Slidell had not demanded of the new government any recognition of his official capacity, but the popular belief was that such recognition would be refused. Another letter dated the 13th says: "Mr. Slidell has demanded his passports, having failed in the object of his mission." This appears to us the more probable version. The Mexican papers before us say nothing on the subject.

A number of important despatches were received by the Pario, which were yesterday forwarded to Washington by mail.

The revolution in Mexico appears to be complete. Before entering the city of Mexico conferences were held between Gen. Paredes and Gen. Valencia, at Guadalupe, close by the capital.

Gen. Paredes had previously addressed a letter to Gen. Herrera, announcing his inexorable determination to carry through the revolution. The latter appears to have yielded his authority to Gen. Valencia without a struggle.

The Assembly of Notables met on the 3d instant. Gen. Tornel was chosen President, and General Almonte, and another, secretaries. Gen. Paredes was then unanimously chosen President of the Republic. On the 4th inst. the oath was administered in great state.

The following is the composition of the Cabinet of Gen. Paredes: Gen. Almonte, Minister of War; Senor Luis Parres, Treasury Department; Senor Castillo Lanzas, Foreign Affairs, and Senor Becerra, (Bishop of Chiapas) of Justice, &c.

CORRECTION.—The leave of absence reported yesterday for the gentleman from Cumberland was an error. The leave of absence was accorded to the gentleman from Montgomery, (Mr. Peters.) The gentleman from Cumberland has been constantly in his place as usual. The gentleman from Montgomery also, was in his place again on yesterday.

In the second leave to introduce bills obtained by Mr. Gardner on Monday, and reported in yesterday's issue, for "Morgan county," read "Morgantown." In the description given yesterday of Mr. Hughes' bill, entitled, an act to remodel the Judicial Districts and equalize the labor of the Circuit Judges—add Livingston to the second District, and give to the Union term "eighteen" judicial days instead of "eight."

DIED.

In Owen county, on the 9th January, Miss MARTHA LUTICIA BEADLES, youngest daughter of Capt. John Beadles, aged 15 years and 2 months. She was beloved by all who knew her. She has left a father and mother and a large connection to mourn her loss.

NOTICE.

THE Commissioners of Common Schools, for such counties in which schools may have been taught, according to law in 1845, are hereby notified, that they can draw up Mr. T. S. Page, 2d Auditor, for such amounts as are due their respective counties, on or before the 1st of FEBRUARY, 1846. C. T. DILLARD, Sec. Pub. Ins.

February 3, 1846—696-114-t-d.

FRANKFORT AND CINCINNATI PACKET.

The new and splendid steamer ISAAC SHELL, of J. W. BOYER, Captain, will ply as a regular packet between the above ports. Leaves Frankfort for Cincinnati, every Tuesday, Thursday and Saturday, at 8 o'clock, A. M. Leaves Cincinnati for Frankfort, every Monday, Wednesday and Friday, at 10 o'clock, A. M. For freight or passage, having splendid accommodations, apply to A. Z. BOYER, Frankfort, Ky. SWIFT & ROBBINS, Lexington, Ky. IRWIN & FOSTER, Cincinnati, O.

January 28, 1846—695-4-t-w-t.

STEAMBOAT KENTUCKY.

THE fine new steamer KENTUCKY, S. M. STEELE, Master, will leave Frankfort for Louisville, every Monday and Friday, at 8 o'clock, A. M. Leaves Louisville for Frankfort, every Monday, Wednesday and Friday, at 10 o'clock, A. M. For freight or passage, having splendid accommodations, apply to A. Z. BOYER, Frankfort, Ky. SWIFT & ROBBINS, Lexington, Ky. IRWIN & FOSTER, Cincinnati, O.

January 16, 1846.

REGULAR PACKET.

The Steamer BLUE WING, Captain H. I. TOWNS, leaves Frankfort for Louisville every Tuesday and Friday mornings. Leaves Louisville for Frankfort and Woodford Landing every Wednesday at 12 o'clock. Leaves Louisville for Frankfort and Munday's Landing every Saturday at 12 o'clock.

FOR LOUISVILLE.

SUNDAY AND WEDNESDAY PACKET. JOHN A. HOLTON, Master, leaves as above regularly, at 9 o'clock, A. M. Apply to JOHN WATSON & CO. January 10, 1846—d-w-t.

LARD WANTED.

500 KEGS Lard wanted immediately. B. F. JOHNSON & CO. January 16, 1846.

1500 LBS. superior No. 1, Loaf Sugar, for sale at No. 4, SWIGERT'S Row, by J. S. WITHEROW & CO.

1500 LBS. common Loaf Sugar, for sale by WITHEROW & CO.

A SUPERIOR LOT of Java, Laguayra, and Rio Coffee, for sale by WITHEROW & CO.

1000 LBS. Boston Crushed Sugar, for sale by WITHEROW & CO.

500 LBS. Double Refined White Sugar, by WITHEROW & CO.

40 BOXES Sperm, Star, and Tallow Candles, for sale by WITHEROW & CO.

CONFECTIONERY & FAMILY GROCERY.

MAIN STREET.

PENNSYLVANIA BUCKWHEAT FLOUR, in half and quarter bushels, just received per steamer Isaac Shelby, and for sale by GRAY & GEORGE.

January 20.

SUNDRIES.

Vernacelli, W. I. Pepper Sauce, Smoked Tongues, Sugar cured Beef, Dried Apples, Raisins, Whisk Brooms, Long handled Brooms, Alcantara Mats, Marbles, Lead Soap, English Horn Combs, Fine Ivory Combs, Hair Brushes, Infant's Hair Brushes, Gents Pocket Brush and Comb, Market Baskets, Ladies' Fancy Baskets, Toys—great variety, Cigar Cases, Traveling Baskets, Prunes in Fancy Boxes, Prunes in Jars, Genoa Citron, Cocoa Nuts, Pine Apples, Sliced Lemons, Macarons.

And a great variety of articles too tedious to mention, for sale by GRAY & GEORGE.

January 20.

J. F. DESILVER,

112, MAIN STREET, (GAZETTE BUILDINGS), CINCINNATI. AGENT for the following valuable School Books, which he will supply at publishers' prices, in any quantity, viz: Mitchell's Geography and Atlas, Mitchell's Ancient Geography and Atlas, Mitchell's Family Geography, Mitchell's Geographical Reader, Frost's History of the United States, Frost's American Speaker, Goldsmith's History of England, Goldsmith's History of Greece, Goldsmith's History of Rome, Simson's Euclid, Guy's Astronomy, and Keith on the Globes, Ross's Latin Grammar, Ruddiman's Rudiments, Ainsworth's Latin Dictionary, Clark's Catechism, Goldsmith's Natural History, Wirt's Life of Patrick Henry, Johnson's Chemistry.

OUTLINES OF HISTORY FOR SCHOOLS.

The following series of Histories have been recently published in this country, and adopted into a large number of Schools in the east and in this city. The number of editions that have been published in London, is a sufficient guarantee of their merit; and we would respectfully call the attention of teachers and others interested in the cause of Education thereto.

Outlines of American History, from the first discovery to the present time. Families and schools, with numerous Engravings and Questions for examination of Pupils. Outlines of History of England, for Families and Schools, with numerous Engravings, published under the direction of the Committee of General Literature and Education, appointed by the Society for promoting Christian Knowledge, from the fourth London edition, with additions and questions. Outlines of Roman History, do do do from the 9th London edition, with additions and questions. Outlines of Grecian History, do do do

Constantly on hand, Miscellaneous Works for general or scientific reading. Theological Books, adapted to the wants of almost every religious denomination, embracing several editions of the Holy Bible, Protestant and Catholic Prayer Books, Family Prayers, Presbyterian Psalms and Hymns, Confessions of Faith, Methodist Hymns, &c.

The usual assortment of Medical Books, including the Text Books of the different Medical Colleges, used throughout the West, all of the latest editions. School Books in general, from the Primer to the highest class of Mathematics.

Such Works as may be called for not on hand, if desired, will be forthwith sent for, from the respective publishers. English, German and French Books imported to order. Particular attention given to furnishing public and private libraries. Stock of Stationery comprising whatever is in daily use, such as Letter and Writing Paper, Quills, Steel Pens, Sealing Wax, Wafers, Inkstands, Lead Pencils, Slates, &c. These Goods have all been selected from the most approved manufacturers, and such additions are made as the consumers may from time to time require.

Legal Publications.—Separate volumes or complete sets of all the Reports, ancient and modern, together with a general assortment, which will be sold at a small advance upon the publishers' prices. My sales of Law Books having so much increased as to satisfy me that a demand exists for all the Legal Publications which have already appeared, or hereafter may be issued, in the eastern cities, I trust the Bar of the west will not be dissatisfied to learn, that I can furnish their libraries at the shortest notice, with separate volumes, or complete sets of all the Reports, ancient and modern, together with any Treatises or Publications that may be desired. I assure the Profession my arrangements with eastern sources are such as to enable me to sell at a very small advance upon the publishers' prices.

I publish the WESTERN LAW JOURNAL, edited by T. WALKER and J. T. MOREHEAD. The third volume is now in the course of publication, and will consist of all the Reports, and self thus far, is a sufficient guarantee of its merits. I treat the name of the Hon. J. T. MOREHEAD, as co-editor, will be an inducement to the members of the Kentucky Bar, to send in their names as subscribers to this work.

[P. A. G. HODGES, of Frankfort, Ky., has kindly volunteered to act as my agent for the county of Franklin, and adjoining counties. Those wishing to subscribe will therefore hand in their names to him.

January 1, 1846.

Wm. Dodd.

January 12, 1846.

WOODRUFF & MCBRIDE,

NO. 15, JACOB'S ROW, BETWEEN MAIN AND MARKET, Louisville, Ky.

KEEP constantly on hand, a general assortment of HARDWARE AND CUTLERY. Also, Manufacturers of PLATES of every description. All orders filled at the shortest notice. January 12, 1846.

NOCK, RAWSON & CO.,

Main Street, opposite the Bank of Louisville, Louisville, Ky.

AGENTS for the sale of every description of Virginia, Kentucky, and Missouri MANUFACTURED TOBACCO, and Wholesale Dealers in Groceries, Foreign and Domestic Liquors, Wines, &c. January 12, 1846.

1020 BOXES VIRGINIA TOBACCO, embracing many of the most superior and favorite brands, in store and for sale very low, by NOCK, RAWSON & CO., Main st., opposite Bank Louisville. January 12, 1846.

H. D. NEWCOMB & BROTHER,

WHOLESALE GROCERS AND COMMISSION MERCHANTS, Jan. 1, 1846. WALL STREET, LOUISVILLE.

JAMES H. REYNOLDS,

WHOLESALE AND RETAIL GROCER, COMMISSION AND FORWARDING MERCHANT, No. 45, WALL STREET, LOUISVILLE.

GOODS SHIPPED to my care should be so marked. January 1, 1846.

WALLACE & LITHGOW,

NO. 520, MAIN, NEAR PEARL STREET, LOUISVILLE, KY. MANUFACTURERS OF COPPER, Tin, Sheet Iron Ware, and dealers in Tin Plate, Copper, Sheet Iron, Block Tin, Zinc, Rivets, Tinners' Machines, &c. &c. January 1, 1846.

LOOK! LOOK!!—NEW HAT STORE.

J. G. Praig & Co.,

Manufacturers and Wholesale and Retail dealers in Hats & Caps, 453, MAIN STREET, BETWEEN SIXTH AND FIFTH, LOUISVILLE, KY.

WOULD respectfully call the attention of the citizens of Louisville and the traveling public generally, to their splendid new store, No. 453, where will be found one of the largest and most superbly manufactured and elegantly assorted stocks of HATS AND CAPS ever before seen in the West.

Louisville has long wanted such an establishment as we design to have. We have the ability and we now have the room necessary to carry out our improvements in the business, and it shall be a house where Gentlemen can always rely upon getting the very finest article, with the shape and style most suitable to their person, &c. In a word, our aim is to make this such an establishment as shall merit the patronage, and at the same time gratify and please the customer.

January 1, 1846.

BEAUTIFUL!

THE Bible and Book of Common Prayer, bound in velvet, with Silver and gold plated clasps and filigree work, a most exquisite present. A fine copy for sale at the lowest Western price, at TODD'S Bookstore.

POLITICAL ECONOMY.

NOTES ON POLITICAL ECONOMY, as applicable to the United States, by a Southern Planter. A few copies just received and for sale at (Jan 23) TODD'S Bookstore.

SARDINES (Gillous brand)—One case received and for sale by GRAY & GEORGE.

FINE CHEWING TOBACCO, for sale by GRAY & GEORGE.

WHITE FISH, Mackerel, Salmon, Potomac Herrings, for sale by GRAY & GEORGE.

BETTER STILL—TRY IT!

NOTHING so good as H. Holbrook's KENTUCKY manufactured TOBACCO, pronounced by connoisseurs to be equal, if not superior, to any manufactured in the "Old Dominion." Just received at Jan 23 TODD'S Bookstore.

BRONSON'S ELOCUTION.

ELOCUTION, or Mental and Vocal Philosophy; involving the Principles of Reading and Speaking, and designed for the development and cultivation of both body and mind, in accordance with the nature, uses, and destiny of man, illustrated by two or three hundred choice anecdotes, &c., by Prof. BRONSON, A. M. M. D. For sale by W. M. TODD, January 23. No. 1, Swigert's Row.

BLACK TEA, a very superior article, Extra fine G. P. Tea, Fison Tea, Imperial Tea, received and for sale by GRAY & GEORGE.

January 20.

Cincinnati Advertisements.

ALEXANDRE SEIGNETTE COGNAC. SEIGNETTE BRANDY. Fourth proof, in half and quarter pipes. MAGLORE, CHAMPAIGNE Brandy, vintages of 1836 and 1837, in quarter pipes, received direct from "RO.HELLE." For sale by HARRISON & HOOPER, 51, Main st., January 1, 1846. Cincinnati.

DISSOLUTION OF PARTNERSHIP. THE partnership heretofore existing between the subscribers, under the style of Desilver & Burr, is dissolved this day, by mutual consent. The business will be continued as usual, by J. F. Desilver, who is authorized to settle the business of the firm. J. F. DESILVER, J. S. BURR. Cincinnati, January 1, 1846.

GEO. H. BATES & CO., IMPORTERS & WHOLESALE DRUGGISTS, CINCINNATI, OHIO. A LARGE stock of all articles used by Druggists, Painters, Dyers and Manufacturers, for sale at the lowest prices. Purchasers will find it more for their interest to obtain their supplies of them than to send east. January 1, 1846.

GEORGE COX, BOOKSELLER AND STATIONER, No. 89, MAIN STREET, CINCINNATI, OHIO. HAS constantly on hand a large collection of Law, Medical, Theological and Miscellaneous Books. Also, School Books, Blank Books and Stationery, with a large collection of Engravings; all of which he offers for sale on reasonable terms. January 1, 1846.

P. WILSON & CO., NO. 91, MAIN STREET, CINCINNATI, OHIO. IMPORTERS and Manufacturers of Saddlery, Coach and Harness Hardware, Seating, Pad Skins and Morocco, Worsted, Cotton and Straining Webbs, Ritts and Strips, Roller and Bridle Buckles, Saddle Trees and Wood Hames, Carriage Lace, Fringe and Oil Cloth, Springs, Axles and Malleable Iron. January 1, 1846.

A. & W. SPRAGUE & CO., NO. 9, PEARL STREET, CINCINNATI, OHIO. MANUFACTURERS, Calico Printers, and Wholesale Dealers in Foreign and Domestic DRY GOODS. January 1, 1846.

BURROWS & CO., (Nos. 13 & 15, PEARL STREET, CINCINNATI.) WHOLESALE GROCERS & COMMISSION MERCHANTS. AND Dealers in Foreign Wines and Liquors, Fruits, Cigars, &c. &c. January 1, 1846.

DRUGS AND MEDICINES.

Paints, Oils, Varnish and Dye-stuffs.

THE subscriber having a large and well selected stock of every article in his line of business, purchased chiefly from the importers and the Eastern markets, is at all times prepared to furnish Druggists, Physicians, and others in the country, on as good terms and at low prices as any house in the West. Particular attention is paid to orders from Physicians, as every article will be guaranteed of the best quality. On hand—

200 oz. of Sulphate of Quinine; 100 oz. Hydrate of Potash; 100 oz. of Iodine; 50 bls. of Alum; 50 carboys Oil of Vitriol; 100 bls. Logwood; 50 do. Fusic; 50 do. Nicotiana; 2 do. Blue Vitriol; 200 bls. Colomel; 100 do. fresh Turkey Opium; Paint Brushes of all sizes, &c.

I am the manufacturer and proprietor of the justly celebrated article called GARDNER'S VEGETABLE LINIMENT, a popular remedy for rheumatism or neuralgia, fresh wounds, rheumatic pains, &c. Also, for horses it excels in the cure of sprains and bruises, cuts or wounds, scratches, corks, chafes or galls, fill in the eyes, &c. This article will be furnished to dealers at such prices as will warrant them in keeping it for sale.

I manufacture PUTTY by steam power, and can warrant it superior to that made by hands; put up compactly in bladders, which prevents it from getting hard; and sell it at the reduced price of 4 cents per lb. by the bl.

JAS. S. GLASCOCK, Druggist, January 6, 1846. N. E. cor. 4th & Main streets, Cincinnati.

MESSICK & TAYLOR,

NO. 49, MAIN STREET, CINCINNATI, OHIO.

THE subscribers are now receiving their Fall supply of GROCERIES, and are enabled to offer a well assorted and carefully selected stock, at the very lowest market prices. They intend keeping up a full stock during the winter, and will spare no exertions to render entire satisfaction to all who may favor them with their business.

Particular attention will be given to the sale of the chief articles of COUNTRY PRODUCE which may be consigned to their care. January 1, 1846.

HUNNEWELL & G. H. HILL,

Importers and Wholesale and Retail Dealers in Glass, China, and Queensware, CINCINNATI, OHIO.

A CONSTANT supply of Oil and Steamboat Furnishing Goods, such as Knives, Forks, Waiters, Spoons and Castors; Hairpins, Side, and Stand Stool Stools, and other articles in the original package, and re-packed adapted to the country trade.

&lt;



